

EXHIBIT

24

1 UNITED STATE DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3 - - -
4 IN RE: :
5 TERRORIST ATTACKS ON :
6 SEPTEMBER 11, 2001 : 03 MDL 1570 (RCC) (FM)
7 :-----:
8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF NEW YORK
10 :-----:
11 In re Terrorist Attacks on :
12 September 11, 2001 :
13 : 03 MDL 1570 (RCC) ECF
14 : Case
15 :-----:
16 UNITED STATES DISTRICT COURT
17 FOR THE SOUTHERN DISTRICT OF NEW YORK
18 :-----:
19 THOMAS E. BURNETT, SR., in :
20 his own right as the father :
21 of THOMAS E. BURNETT, JR., :
22 Deceased, et al., :
23 Plaintiffs, :
24 :-----:
25 vs. :
26 :-----:
27 AL BARAKA INVESTMENT AND :
28 DEVELOPMENT CORPORATION, :
29 a/k/a AL BARAKA BANK a/k/a :
30 DALLAH ALBARAKA GROUP, LLC, :
31 et al., :
32 Defendants. :
33 :-----:
34 TUESDAY, NOVEMBER 15, 2007
35 CONFIDENTIAL
36 :-----:
37 MAGNA LEGAL SERVICES
38 2 Penn Center Plaza
39 Suite 910
40 Philadelphia, Pennsylvania 19102
41 (866) 624-6221

1 Videotape deposition of PHILIP GRIFFIN,
2 taken pursuant to notice, was held at the law
3 offices of JONES DAY, 51 Louisiana Avenue N.W.,
4 Washington, D.C., commencing at 11:00 a.m., on the
5 above date, before Deborah A. Brazukas, a Registered
6 Professional Reporter, Certified Shorthand Reporter
7 of New Jersey, License No. XI 01938, and Notary
8 Public.

9

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1 A. Correct -- no. Excuse me, 1992.

2 Q. 1992. When in 1992?

3 A. July.

4 Q. July.

5 What did you do in July of 1992?

6 A. I retired from the foreign service at
7 Jeddah. In other words, my travel, when I left
8 Jeddah, I was -- I was a retiree. There was some
9 financial benefits to doing it that way rather
10 than coming back here and retiring.

11 But I retired there and came back
12 here and moved back into our residence in
13 suburban Maryland.

14 Q. And then what did you do for work?

15 A. I had been approached by Saudi
16 Binladin Group before I left Jeddah as to the
17 possibility of representing them in -- in the
18 U.S. And I did not commit myself. I -- it was
19 an interesting proposition. And it was along the
20 lines of what I envisioned I might do in
21 retirement, drawing on my experience and language
22 qualification -- area -- language and area
23 qualifications in Europe and the Middle East. So
24 I undertook to look at the -- look at the idea

1 and explore possibilities of doing such
2 representation in the Washington, D.C. area. And
3 I -- I didn't -- sign on and do anything for
4 several months until we got ourselves
5 reconstituted, re -- reestablished in our
6 residence. And so that -- I think I answered
7 your question.

8 Q. How long did you work in Saudi
9 Arabia?

10 A. How long did I work in Saudi Arabia?

11 Q. Yes. Was it that '89 to '92 time
12 period?

13 A. No, I worked previously in Saudi
14 Arabia.

15 Q. And what had you done previously in
16 Saudi Arabia?

17 A. I was a commercial economic officer
18 in Dhahran, D-H-A-H-R-A-N, Dhahran, from 1965 to
19 '68, 1965 to 1968.

20 Q. And --

21 A. Oh, excuse me. Later for -- I had a
22 short tour in Saudi Arabia in -- at -- in Dhahran
23 in '71 -- '71, '72.

24 Q. Doing what?

1 secretary of state. But I had met him originally
2 back when -- at the time when I opened the
3 embassy in Abu Dhabi, he was, I think, deputy
4 assistant or assistant secretary of defense at
5 the Pentagon.

6 And then, when I met him again
7 after that, in the -- I would say in the period
8 around 2000 -- excuse me, 1995, '96, he was -- he
9 had a consulting firm on Wilson Boulevard here in
10 the Washington area. And I had -- I'm -- I'm
11 trying to recollect. I had gotten to know one of
12 his assistants in the -- in the consulting firm
13 and had mentioned that Hasan Binladin, who was
14 the -- my boss in the Saudi Binladin Group, was
15 coming to Washington on a scheduled visit, and
16 would it be convenient for me to bring him around
17 and meet you, Mr. Armitage. And he said of
18 course. And -- and we did that.

19 I had no other -- I had contact
20 with one -- one person in particular in his
21 office after that, but no direct contact with him
22 in his later positions.

23 Q. Could that -- I'm sorry, could that
24 visit have been as late as 1999?

1 no.

2 Q. What would you call him?

3 A. A consultant.

4 Q. Of what kind?

5 A. Political, economic, commercial
6 information that would be valuable to a client.

7 Q. And would --

8 A. Let me -- let me clarify. My
9 relationship with Armitage and Associates was
10 very narrow in scope. It -- it only really
11 involved my relationship with Lincoln Blumfield.
12 And that was very limited, too. I mean, it would
13 be months go by that I didn't talk with Lincoln.
14 And we'd see each other at a commercial
15 conference or Chamber of Commerce meeting here
16 in -- in town. And we would -- we would say,
17 what's -- what's happening, what's happened since
18 we last talked.

19 And -- and it's possible in 1999,
20 in the earlier part of that period, that I -- I
21 may have had conversations with him on -- on
22 something or the other but I don't recall what
23 that was.

24 Q. And during the time period, during

1 Monroe Street, and then 1700 Rockville Pike?

2 A. Suite 400.

3 Q. Suite 400.

4 All right. Why did -- why did SBG
5 open a U.S. office?

6 A. To -- one reason was to have the
7 company better known in the United States among
8 possible business partners or business clients.

9 Let -- let me explain that for a minute. The
10 company -- the group was well known in the Middle
11 East for their construction activities and
12 certain other activities they had. It was not
13 well known in the United States except by some
14 specific companies like GE and York Air
15 Conditioning and a few others. So they -- they
16 wanted to become better known.

17 And the second -- the related
18 second reason for the office was to have someone
19 on the ground here who could follow up -- who
20 could become knowledgeable about possible
21 projects that would be of interest to the mother
22 company, to the wholly owned company, and to
23 follow up on such activities, such leads; have --
24 have somebody on the ground, which they didn't

1 wouldn't use it. This calls for speculation.

2 THE WITNESS: I would want to have
3 the definition, clarification of dispense
4 service is. That's a very good question.
5 Because I -- I didn't envision myself as
6 someone who would be traipsing down to the
7 airport to meet every brother who came to town.

8 MR. HAEFELE: Can we have this
9 marked, please.

10 (Whereupon, Exhibit No. Griffin-1
11 was marked for identification.)

12 BY MR. HAEFELE:

13 Q. Sir, I'm showing you an item that's
14 been marked as Griffin-1 for identification. Can
15 you just take a look at this document and tell us
16 if you recognize that document.

17 MR. GAUCH: Do you have copies?

18 MR. HAEFELE: I wish I did. I think
19 I do. Oh, I do. There you go.

20 MR. GAUCH: Sean, do you need a
21 break? We can get extras if you need one.

22 MR. CARTER: No. It's okay. I'll
23 just look over someone's shoulder.

24 MR. GAUCH: I'm sorry, what was the

1 very seldom got a yes or no, follow up on it or
2 don't follow up on it. I generally didn't hear
3 anything about it. So after a while, I took that
4 to mean that they weren't interested.

5 Q. Was it your job to facilitate
6 business with -- between SBG and other U.S.
7 businesses?

8 A. To the extent that that was necessary
9 and that I was requested specifically to do
10 such -- such service.

11 Q. And did that happen?

12 A. It happened occasionally.

13 Q. Was it to promote U.S. business?

14 A. Always.

15 MR. GAUCH: Object to the form.

16 BY MR. HAEFELE:

17 Q. Always?

18 A. Always to promote U.S. business.

19 Q. Always?

20 A. Yes, that was the purpose -- the
21 purpose that I was in the job.

22 Q. Was it to -- to continue to foster
23 existing U.S. business relations?

24 MR. GAUCH: Object to the form.

1 some of them. Most of them were -- were not
2 firms that we'd ever heard of before. That's not
3 the case with K&M.

4 Q. How were you paid for your work at
5 SBG?

6 A. Excuse me?

7 Q. How were you paid? How much?

8 A. I was paid \$10,000 a month.

9 Q. And did that money come from SBG?

10 A. Came -- came from SBG.

11 Q. And the documents that SBG produced
12 to us in discovery in the litigation, they show a
13 whole bunch of expenses for the U.S. office. Did
14 SBG cover all those expenses as well?

15 A. They -- they covered --

16 MR. GAUCH: Object to the form.

17 THE WITNESS: -- all -- all those
18 expenses through budgets that I submitted
19 originally every quarter. But that -- it was
20 considered too quick, too -- it was not enough
21 time to turn around quarterly budgets.

22 BY MR. HAEFELE:

23 Q. But SBG had to approve all those
24 budgets, right?

1 A. SBG had to approve it all. I laid it
2 out and -- anyway, it -- we settled -- we settled
3 on budgetary submissions every six months.

4 Q. And any money that SBG, your -- the
5 office that you were in, had -- came from SBG
6 Saudi Arabia, correct?

7 A. Correct.

8 Q. And you didn't have any independent
9 source of income in your office, correct?

10 A. Didn't have what?

11 Q. Any independent source of income,
12 other than SBG.

13 A. No, I did not have.

14 Q. The business that you did didn't
15 generate any income for the US office; it
16 generated income for --

17 A. No. No. No, not at all. I wish it
18 had, but it -- it didn't.

19 Q. And when the U.S. office shut down,
20 it had some money left, right?

21 A. A little bit of money, yes.

22 Q. About 900 and some dollars?

23 A. That sounds about right.

24 Q. And that money got sent back to --

1 sometimes it wouldn't be anything serious in two
2 months.

3 Q. And is that something that you faxed
4 or something that you sent by mail?

5 A. Both. Sense -- sensitive things
6 would always -- most always be sent by letter.

7 Q. Okay. And how -- during your six and
8 a half years, how many times would you estimate
9 that you've sent such proposals?

10 A. They weren't always proposals. They
11 were informational material that if they wanted
12 to follow up further or were interested in
13 another vain, they could -- they could inform me.

14 Oh, I don't know, a hundred or so.

15 Q. Okay. Would that be in a format of
16 a -- of a memo or a letter or what?

17 A. It would be in the format of a memo.

18 Q. Okay. Earlier today you mentioned
19 that you had made -- or I'm sorry, that -- that
20 there -- the family had made some efforts to get
21 Osama Binladin back into the fold by -- by
22 engaging him economically in the company. Is
23 that fair?

24 A. That's what I understood, yes.

1 A. I don't know what -- I don't know
2 what -- they -- they probably had some
3 rudimentary computer system. But I -- I didn't
4 share it and what they -- if they shared it with
5 anyone, I'm not -- I'm not knowledgeable about
6 it.

7 Q. I'll bypass the notion that a company
8 called Techmaster had rudimentary computer
9 systems.

10 Who was Mr. McBride's successor?

11 A. A gentleman by the name of -- come
12 on.

13 Q. Was his name Akeil?

14 A. It's -- it's one of these instant
15 words that flipped -- flipped right out of my
16 head. It's a Polish name.

17 Q. All right. Well, if you should think
18 about it, please let me know.

19 A. He was -- yes, he was the successor
20 of Mr. McBride.

21 Q. Was it Hasan Binladin that directed
22 your work?

23 A. Yes.

24 Q. And you considered him to be your

1 boss, right?

2 A. Right.

3 Q. You reported directly to him?

4 A. Reported directly to him.

5 Q. And how often did SBG employees come
6 to the U.S.? And by employees, that would
7 include the officers, the directors, all the SBG
8 individuals from Saudi Arabia. How often did
9 they come to the U.S.?

10 A. How -- how often did they come to the
11 U.S. --

12 Q. Yes.

13 A. -- or how often did they come to SBG
14 (USA)?

15 Q. Well, you said earlier you didn't
16 want to be a travel agent.

17 A. Right.

18 Q. And I'm assuming that was because
19 that had started to occur at some point, and you
20 wanted to make it clear that that's not what
21 you're -- you saw your job as.

22 MR. GAUCH: Object to the form.

23 THE WITNESS: Well, I -- I did enough
24 of it -- I did enough of it in the foreign

1 their dealings with Iridium; although I did
2 attend two or three quarterly board meetings.

3 Q. Okay. During --

4 A. As -- as an observer.

5 Q. During the time period between early
6 January '97 through the end of '99, you made a
7 number of calls to Iridium. What would those
8 calls have been for?

9 A. Generally to find out information
10 about the upcoming board meetings. I had no --
11 no other function.

12 Q. What board meetings?

13 A. Board meetings of Iridium.

14 Q. And what was your involvement with
15 the board meeting of Iridium?

16 A. I was -- I asked Sheikh Hasan --
17 since I didn't know anything about Iridium when
18 it first was being formulated and -- and put
19 together, I said I -- I received some calls from
20 telecommunications companies wanting to --
21 assuming -- who got my number and wanted to
22 know -- have information about Iridium and -- and
23 what SBG's role was or S -- and I didn't know. I
24 didn't know anything about Iridium. So I -- he

1 said, well, why don't you attend the -- the board
2 meeting just as an observer. And I thought that
3 was a good idea. And I did that on two or three
4 occasions.

5 Q. And did you ever -- you're aware that
6 Iridium had an office that opened up in -- in
7 Georgetown in May of '97, right?

8 A. Yes.

9 Q. And did you go to that office on
10 occasion?

11 A. Never went to that office but talked
12 with the people staffing it. There were two
13 gentleman as I recall.

14 Q. Who staffed it?

15 A. They were Arab-Americans.

16 Q. Do you remember who the name -- who
17 they were?

18 A. I don't -- I don't remember the
19 names. I had...

20 Q. All right.

21 A. I had some occasional phone contacts
22 with them. They knew who I was.

23 Q. And the office was particularly
24 Middle East Iridium, right?

1 A. That's correct.

2 Q. And so it was particularly the office
3 that -- that SBG was involved in, correct?

4 MR. GAUCH: Object to the form.

5 THE WITNESS: Correct.

6 Excuse me, let me -- let me
7 amplify. I'm giving you a lot of
8 background, which I don't know. SBG was
9 hesitant or maybe financially strapped to
10 make a full participatory share. And in the
11 beginning, they had the participate --
12 participatory responsibility for the Middle
13 East. They eventually shared that with a --
14 with another middle eastern company, a
15 Beirut Saudi bin -- Saudi-Lebanese company,
16 so that they split the participatory amount
17 in -- in half.

18 And I don't remember
19 what -- what the Saudi -- other Saudi
20 participant was, but --

21 BY MR. HAEFELE:

22 Q. Who -- who opened the -- the Middle
23 East Iridium office in -- in Georgetown?

24 A. These two fellows that -- that I

1 directly, there was -- I had no successor in the
2 position. They -- SBG decided to close the
3 office and not to appoint a successor or -- or to
4 rent any other space in -- somewhere else in the
5 Washington -- Washington Metropolitan area.

6 Q. I'm not asking you --

7 A. There -- there was some --

8 Q. Sir, I'm not asking you whether or
9 not anybody continued to have an office in
10 Washington or -- or anything along those lines.

11 I'm asking you, the chores that
12 you did to service SBG with its U.S. business
13 relations, they continued to be performed by
14 someone, correct?

15 A. I -- I think most of them dropped by
16 the wayside.

17 Q. Well, does -- does the company still
18 service its contacts with -- with GE?

19 A. Yeah, but I wasn't -- they didn't --
20 GE didn't -- I didn't deal with GE. Yes, they
21 deal with GE, to the extent that the major
22 projects are still unfinished.

23 Q. Sir, while -- while you were with
24 SBG, was it involved with a number of different

1 organizations that were business-promoting
2 organizations?

3 A. Business-promoting organizations?

4 Q. For -- for example --

5 A. Oh, yes. You mean like Chamber of
6 Commerce?

7 Q. The Chamber of Commerce, correct.

8 A. Yeah, I -- I was a member of the
9 Arab-American Chamber of Commerce here in
10 Washington, D.C.

11 Q. And wasn't SBG also a member of the
12 Middle East Policy Council?

13 A. Which is more of a think tank. It
14 was not a -- they -- I mean, they enhanced
15 business activities as well, but --

16 Q. They -- they were part of that,
17 correct?

18 A. They were a different type of
19 organization. But they -- yes, they -- Binladin
20 was -- had a board member on -- on that
21 organization.

22 Q. And they continue to have a board
23 member on that, right?

24 A. Huh?

1 Q. And they continue to have a board
2 member on that, correct?

3 A. I think they continue to have.

4 Q. Right.

5 And they continue -- and that --
6 what's the purpose of Middle East Policy Council?

7 A. To enhance an understanding in all
8 areas with Arab countries in the Middle East and
9 the United States.

10 Q. And SBG was involved with the
11 National U.S. Arab Chamber of Commerce, right?

12 A. That's correct.

13 Q. And they were involved with the
14 Middle East Institute, right?

15 A. Yes, I'm a long-time member.

16 Q. And they were involved with the World
17 Affairs Council of Washington, D.C., right?

18 A. World Affairs Council? I know what
19 it is. I -- I don't think I was -- other than
20 going to a couple of their meetings, I was not a
21 member, as I recall.

22 MR. HAEFELE: Do we need to break? I
23 have a -- I have a few more questions, but I
24 don't want to --

1 MR. GAUCH: Do you want to go off the
2 record for a second?

3 MR. HAEFELE: Yeah. Yeah.

4 THE VIDEOTAPE OPERATOR: We're going
5 off the record. The time is 1:46.

6 (Whereupon, there was a discussion
7 held off the record.)

8 THE VIDEOTAPE OPERATOR: We're going
9 back on the record. The time is 1:48.

10 BY MR. HAEFELE:

11 Q. Sir, there's also an entity called
12 U.S. Saudi Arabian Business Council in
13 Washington, D.C., right? You were -- was SBG
14 involved with that?

15 A. I was involved in it to the extent
16 that they had meetings or seminars from time to
17 time. But I was not a member of it.

18 Q. Okay. Is SBG still involved with the
19 U.S. Arab Chamber of Commerce?

20 A. I doubt it. I don't know.

21 Q. They are still involved --

22 A. I doubt it because I don't know who
23 would -- who would do that function.

24 Q. They're still involved with the

1 Middle East Policy Council you said, correct?

2 A. Yes, they are.

3 Q. And SBG has also sponsored events
4 like conferences in the U.S. to foster U.S. Saudi
5 business relations, right?

6 A. Repeat that, please.

7 Q. SBG has also sponsored events like
8 conferences in the U.S. to foster U.S. and Saudi
9 business relations, right?

10 MR. GAUCH: Object to the form and
11 foundation.

12 THE WITNESS: I think -- I think they
13 have. I was not involved in any such, but I
14 think they have done so.

15 BY MR. HAEFELE:

16 Q. Do you know what conferences they --
17 they sponsored?

18 A. No, I don't know specifically. It
19 was -- it probably -- to the extent they did, it
20 was probably after I closed the office.

21 Q. Did you attend the International
22 Franchise Expo in Washington, D.C. in 2001?

23 A. I did indeed.

24 Q. And you were obviously no longer with

1 . the -- with SBG at the time, right?

2 A. Well, wait a minute. In -- in '01?

3 Q. In 2001.

4 A. I'm sorry, I -- the time frame. I
5 had -- had attended some of their annual
6 meetings, their franchise organization, at annual
7 meetings in Washington, and enhancing new
8 franchises and so forth. I attended at least two
9 of those when I was still with the company. I
10 did not attend in '01 because I wasn't with the
11 company any longer.

12 Q. Okay. Do you know whether or not SBG
13 continued to be involved with the International
14 Franchise Expo?

15 A. I do not know that. There were --
16 there were several -- from the -- from the
17 conferences that I attended, prior to the end of
18 '99, there were several opportunities that I
19 thought might be attractive. And I sent them --
20 sent information to Sheikh Hasan about them. And
21 they may have followed up on one or more of
22 those.

23 Q. What role does Mr. Rihani play on
24 behalf of SBG presently?

1 A. Presently, he's a part-time advisor,
2 counselor, and -- to Sheikh -- Sheikh Bakr, and
3 follows up on business relationships that need
4 some nurturing and -- and assistance from time to
5 time.

6 Q. And in fact, he's the member that
7 the -- that's the representative member for SBG
8 on the Middle East Policy Council; hasn't he
9 been?

10 A. That's right. That's right. He's a
11 very trusted advisor, and he works part-time,
12 and -- at least he has been working part-time.
13 He goes back and forth between his home in
14 Carolina and -- and New Jersey -- and Jeddah.

15 Q. Did you speak with the press on --
16 after 9/11 regarding the Saudi Binladin Group?

17 A. Did I speak to the press?

18 Q. Yes.

19 A. I think I did. I think I spoke with
20 somebody from -- maybe from New York Times and
21 the Washington Post.

22 Q. Were you authorized by the family to
23 speak on behalf of SBG?

24 A. I was not authorized by the family.